

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	Case No. 2:19-cv-4990
	:	
Plaintiff,	:	MAGISTRATE JUDGE VASCURA
v.	:	
	:	
A GLOCK MODEL 22, .40 CALIBER PISTOL, SERIAL NO. 1ERY449US, <i>et al.</i>,	:	
	:	
Defendants.	:	

ORDER

This matter is before the Court on the United States' Motion for Stay of Civil Forfeiture Proceeding (Doc. 15). The United States seeks a stay of the above-captioned case pending resolution of a related criminal investigation pursuant to 18 U.S.C. § 981(g). That statute provides, in relevant part:

(g)(1) Upon the motion of the United States, the court shall stay the civil forfeiture proceeding if the court determines that civil discovery will adversely affect the ability of the Government to conduct a related criminal investigation or the prosecution of a related criminal case.

...

(4) In this subsection, the terms "related criminal case" and "related criminal investigation" mean an actual prosecution or investigation in progress at the time at which the request for the stay, or any subsequent motion to lift the stay is made. In determining whether a criminal case or investigation is "related" to a civil forfeiture proceeding, the court shall consider the degree of similarity between the parties, witnesses, facts, and circumstances involved in the two proceedings, without requiring an identity with respect to any one or more factors.

The United States represents that there is a criminal investigation related to this civil forfeiture proceeding. The United States further represents that civil discovery in this case will

adversely affect its ability to conduct the related criminal investigation.

The Court finds that here is a high degree of similarity between the parties, facts, witnesses, and circumstances involved in the criminal and civil proceedings. The Court further finds that civil discovery will adversely affect the prosecution of the criminal case.

For good cause shown, the United States' Motion for Stay (Doc. 15) is **GRANTED**. The Court hereby **STAYS** the entirety of the above-captioned civil forfeiture proceeding until the conclusion of the related criminal investigation. The United States is **DIRECTED** to file a notice with this Court within fourteen (14) days of the resolution of the related criminal matter.

IT IS SO ORDERED this 23rd day of November, 2020.

/s/Chelsey M. Vascura

HONORABLE CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE